

lateral members are fixed onto the vehicle structure.

REMARKS

Claims 1-11 and 13-16 are pending in the present application. Claim 11 is currently amended. Applicant submits that all presently pending claims are now in condition for allowance in view of the above amendments and the remarks set forth below.

Rejections Under 35 U.S.C. §112

Claim 11 is rejected under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement.

The Office Action stated that claims 1-10 and 13-16 are allowed and that claim 11 would be allowable if amended to overcome the rejections under 35 U.S.C. §112, first paragraph. Applicant respectfully submits that claim 11 is amended herein to correspond to its original state and thereby remove the claim language that was deemed indefinite. In particular, claim 11, as amended herein, no longer requires the modular roof assembly to be inserted between the trunk lid and the windshield frame after the trunk lid is provided on the vehicle structure.

Objection to the Drawings

The drawings were objected to under 37 C.F.R. §1.83(a) for not showing the elements of claim 11 which are removed by the present amendment. Applicant respectfully submits that the drawing objections has been overcome and is moot in view of the present amendment.

Applicant thanks the Examiner for the indication of allowable subject matter and believes that all of the claim are now in condition for allowance. Reconsideration is respectfully requested.

CONCLUSION

In view of the remarks set forth above, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is respectfully requested.

If any points remain an issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The Examiner is invited and encouraged to telephone the undersigned with any concerns in furtherance of the prosecution of the present application.

Please charge any deficiency as well as any other fee(s) which may become due at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-5180.

Respectfully submitted,

Date: May 20, 2010

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